

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)**  
**For**  
**Dean Creek Habitat Projects Environmental Assessment**  
**EA# OR 125-04-08**

**I. Introduction**

An Interdisciplinary Team within the Umpqua Resource Area, Coos Bay District Bureau of Land Management has analyzed a number of habitat improvement and infrastructure projects for the Dean Creek Elk Viewing Area (DCEVA). An Environmental Assessment has been developed examining two alternatives: a no action alternative and an action alternative. The no action alternative would continue the current course and no substantial habitat or infrastructure improvements would take place at this time. Alternative 2 proposes a wide variety of habitat improvement projects ranging from noxious weed control to stream restoration and a wide variety of infrastructure projects ranging from culvert replacement to dike repair. All the proposed projects are located in Sections 32, 33 and 34 of Township 21 South, Range 11 West and Sections 3, 4, 5, 6 of Township 22 South, Range 11 West, Willamette Meridian.

**II. Background**

Dean Creek Elk Viewing Area is located near the Oregon coast in Douglas County along State Highway 38, three miles east of Reedsport. The site is co-managed by the Coos Bay District of the Bureau of Land Management (BLM) and the Oregon Department of Fish and Wildlife to provide for a viable elk herd through high quality elk habitat, public viewing opportunities of the elk, and public educational opportunities.

DCEVA is a mosaic of pastures, wet meadows, and uplands that are dissected by several ditches and two major sloughs. Approximately 440 acres are bottomlands and the remaining 600 acres are uplands. In 1993, a site management plan was developed for the area. The proposed actions are designed to meet a variety of objectives outlined in the plan.

**III. Finding of No Significant Impact**

A careful review of the EA, which I herein adopt, indicates that there would not be a significant impact to the quality of human environment from the implementation of the proposed action alternative. I agree with this conclusion and determine that an Environmental Impact Statement (EIS) will not be prepared. This determination is based on consideration of the following factors:

1. The proposed activities will occur in localized areas within the boundaries of the Coos Bay District. The proposed activities are not national or regional in scope.
2. The proposed activities would not significantly affect public health and safety. Best Management Practices incorporating spill kits and containment plans as described in the EA will minimize the risk to water quality. In addition, notifications in the event of a release threatening waterways are to be made in accordance with the BLM Coos Bay District Riparian Spill Plan, and Oregon DEQ Administrative Rule (OAR) 340-108, *Oil and Hazardous Materials Spills and Releases*.
3. The proposed activities will not have an impact on unique characteristics of the geographic area such as energy development, air quality, prime unique farmlands, environmental justice/native American trust resources, wild & scenic rivers/wilderness, or special status areas. The project areas are located at previously disturbed sites, and the relocation prescriptions will restore the natural physical environment. The proposed action is outside the range of Port-Orford-Cedar so the projects will not have any impact on the species.
4. The effects on the quality of the human environment of the proposed activities are not highly controversial.
5. The possible effects of the proposed activities on the quality of the human environment are not highly uncertain and do not involve unique or unknown risk.
6. The proposed projects do not establish a precedent for actions with future significant effects or represent a decision in principle about a future consideration.
7. There are no significant cumulative effects identified by this assessment.
8. The proposed activities will not affect districts, sites, highways, structures, or objects listed in, or eligible for listing in, the National Register of Historic Places. Nor will they cause a loss of destruction or significant scientific, cultural, or historical resources.
9. The proposed projects will fully comply with the Endangered Species Act (ESA) of 1973, as amended.

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Federal action agencies to consult with the Secretary of Commerce regarding any action or proposed action authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH) identified under the MSA. Therefore, projects analyzed in the EA that are determined to adversely affect EFH that are not covered under the October 18, 2002 Programmatic Biological and Conference Opinion issued by the National Oceanic and Atmospheric Administration (NOAA) will be consulted on prior to project implementation.

On February 24, 2004 a federal appeals court prohibited authorities from protecting Oregon coast coho under the Endangered Species Act, reinstating a 2001 order by U.S. District Judge Michael Hogan declaring the original listing as unlawful and set aside as arbitrary and capricious. However, if coho salmon are relisted prior to implementing projects analyzed in the EA, consultation will be completed for may affect actions not covered under the October 18, 2002 Programmatic Biological and Conference Opinion.

Based on an analysis by the Wildlife Biologist, it has been concluded that the proposed actions constitute a "No Effect" to any listed wildlife species. Therefore, consultation with the U.S. Fish and Wildlife Service is not warranted. This conclusion further supports a Finding of No Significant Impact.

10. There are no irreversible or irretrievable resource commitments identified by this assessment, except for a minor consumption of fossil fuels for routine operations.
11. The proposed activities will not violate Federal, State, or local laws imposed for the protection of the environment.
12. The Proposed Action would not retard or prevent attainment of the Aquatic Conservation Strategy (ACS) objectives at the fifth-field watershed scale. The BLM administers 1,493 acres, or 2.5 percent of the land, in the 60,239 acre Lower Umpqua River Subwatershed #1710030308 (2002 BLM Coos Bay District GIS Database). Therefore, activities on BLM administered lands would be inconsequential at the subwatershed scale. The existing condition of the Dean Creek Elk Viewing Area (DCEVA) is a very hydromodified wetland complex. Consequently the actions would have a neutral affect on the existing conditions as they would neither restore nor degrade aquatic ecosystems, but rather maintain current habitats and water relationships. The Lower Umpqua Watershed Analysis (September 1997) recognizes that DCEVA has limited opportunities for riparian restoration and that the area provides high social value for elk viewing opportunities to the public.

/s/ M. Elaine Raper

Date: May 4, 2004

M. Elaine Raper  
Umpqua Field Manager  
Coos Bay District  
Bureau of Land Management